



Crl.O.P.No.5441 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A7 seeks anticipatory bail in Crime No.108 of 2024 registered by the respondent Police for the offences punishable under Sections 323, 307, 389, 506(ii) and 120B of IPC.

2. This is a case where all the accused should be ashamed of the allegations. It is no good to claim protection of being associated with any political party. Let me be clear on that particular aspect, particularly, as they are alleged to have attacked the very fulcrum of a Mutt and the person in charge of the said Mutt. This is all more evident, as the Madathipathi has been referred, in singular name during the arguments presented by the learned counsel for the petitioner.

3. It is the case of the prosecution that A1, A2 and A3 claimed to have in their possession various videos of the Madathipathi and claimed that those videos comprising the videos would compromise his status Madathipathi. Being in possession of the same, they have taken a decision to exploit the Mutt as a whole and all the followers generally to extract money.



Crl.O.P.No.5441 of 2024

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4. Let me narrate the sequence. As stated in the First Information Report a complaint had been lodged by the brother of the Madathipathi. According to him, A1 to A3 had demanded money and it is the specific case of the prosecution that on an earlier occasion, money had changed hands owing to the threat of these videos. It is also seen that the name of this petitioner is stated, that, on his instigation, a second attempt was again made by A1 to A3, to extract money from the Mutt/Madathipathi. If there had any inclination to follow the principles which they claim to follow, then if they were in possession of such videos, they should have been handed over in the first place. There cannot be any extortion from any Mutt or from any Madathipathi. There cannot be defence to such extortion. If there is support for such extortion, then even if such support is indirect, a person who so supports should desist from that stand.

5. The crux of the matter is that the accused were in possession of certain videos which would embarrass the Madathipathi of a very ancient and traditional Mutt called Dharmapuram Adheenam. On the basis of such videos in their possession, they had launched into an operation to extract money.



Crl.O.P.No.5441 of 2024

Naturally, there would be differing versions as to who instigated them but the name of this petitioner is found place in the F.I.R.

6. It is also contended that the entire incident started in the year 2019, when a photographer of the Mutt had in his possession various photos/videos and had transferred them to a Pen Drive. These are not statements which are available in the First Information Report but stated by the learned counsel for the petitioner. Therefore, there is some element of fear in the minds of the followers of the Mutt that the genuine or morphed or created videos would be circulated. Investigation will have to be done on those aspects.

7. It is contended that in the year 2019, when all these issues surfaced, the petitioner herein, was a member of a political party had thereafter joined yet another party. It is stated that therefore, cases have been filed implicating him. I do not find any logic in that line of argument. If he has to face a case, particularly of instigating extortion of money from a Mutt which has been in existence for the past centuries together, then, it is unbecoming of him, as being a member of any party. He should have taken



Crl.O.P.No.5441 of 2024

care that his name is not soiled particularly with reference to allegations of this nature.

8. Investigation has to be conducted about the source of videos, the genuinity of the videos and if those videos really contains embarrassing videos /pictures of the Madathipathi, the persons who would benefit from the same and the persons who had instigated the accused to extract money on the basis of such videos and the sources of those videos.

9. All those aspects requires deep investigation. It is only hoped that the accused cooperate with the investigation. They should not have this as a stigma in the future and should not defend those who provoke such extortion.

10. The learned counsel for the petitioner wanted this Court to read the confession statement of A1 before passing any orders. The statements in the First Information Report itself have been discussed. I do not want to further examine the confession statement, particularly, when investigation is at a nascent stage, where the priority of the Investigating Officer to proceed further with investigation on the basis of available materials.



Crl.O.P.No.5441 of 2024

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11. Taking all those factors into consideration, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

06.03.2024

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Crl.O.P.No.5441 of 2024

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Crl.O.P.No.5441 of 2024

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